UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,358	02/24/2000	KAZUTAKA MATSUEDA	862.C1843	4691

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EXAMINER
PHAM, THIERRY L

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 04/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/512,358	MATSUEDA, KAZUTAKA	
	Examiner	Art Unit	
	Thierry L Pham	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communication: an Amendment filed on

2/5/04.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurachi (U.S.

6181436).

Regarding claim 1, Kurachi discloses a server apparatus (printer server 8, fig. 6) adapted

to communicate with at least one client (client 1 and 2, fig. 6), each client including an image

storage unit (RAM, fig. 2A) for storing print data of a print job, and a printer (printer 3, fig. 6)

via a network (network 4, fig. 6), comprising:

(1) image storage means (RAM, fig. 2B, col. 11, lines 60-67 to col. 12, lines 1-15) for storing

print data of the print job to be executed according to a print request from a client;

(2) order management means (print job managing device, fig. 3, col. 2, lines 10-50 and col. 11,

lines 60-67 to col. 12, lines 1-15) for managing print order of the print job to be executed

according to the print request from the client;

(3) transmission means (print job sending device, fig. 6) for transmitting transmission permission

information (the client requests print job information from the print server, in reply, the print

server transmits the management information of the print job managed by the print server to the

client, col. 2, lines 10-50 and col. 3, lines 1-15) to the client based on the print order managed by

said order manage means, the transmission permission information indicating (print server

generates a list of print management information indicating print job information that can be

transmitted to a selected printer, col. 3, lines 5-15 and col. 5, lines 10-50) that the print data may be transmitted to the printer; and

(4) control means (sending print data stored in printer server 8 to printer 9a and 9b via network 4, fig. 6, col. 11, lines 60-67 to col. 12, lines 1-15) for transmitting the print data of the print job of the print order from said image storage means to the printer if the print data is not transmitted from the client to the printer (fig. 6 shows a client can transmits print data to the printer 3 directly and/or transmits the data to the print server, and then the server can transmits the print data stored in the storage means to the printer 9a and 9b, col. 11, lines 60-67 to col. 12, lines 1-15), after said transmission means transmits the transmission permission information.

Regarding claim 2, Kurachi further discloses the server apparatus according to claim 1, if the print data of the print job to be executed by the print request form the client cannot be stored in said image storage means (it is known in the art that if the storage means of the printer server is full, then additional print data can not be stored; however, fig. 12 shows a method for manage storage capacity by removing some old print data (Delete Button 7, fig. 12) to allocate/free-up memory space) causing said order management means to manage the print order of the print job without storing the print data (the client can directly transmits the print data to the printer 3 without having to store print data in the printer server, fig. 6) of the print job in said image storage means.

Regarding claim 3, Kurachi further discloses the server apparatus according to claim 1, further comprising history storage means (print job list, fig. 12) for with each print job outputted by the printer, storing information indicative (print job information, col. 2, lines 44-50) of a client that requested the print job and a device that transmitted print data to the printer.

Regarding claims 4-6: Claims 4-6 are the method claims corresponding to the apparatus claims 1-3 (respectively). The methods are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-3 above.

Claim 7 corresponds to claim 1 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 2A) for storing computer programs, hence claim 7 would be rejected using the same rationale as in claim 1.

Regarding claim 8, Kurachi discloses an information processing apparatus as a client (client 1 and 2, fig. 6) that communicates with a server apparatus (printer server 8, fig 6) , which manages a print order, and a printer via a network (printer 3, fig. 6), comprising:

(1) image storage means (RAM, fig. 2B, col. 11, lines 60-67 to col. 12, lines 1-15) for storing print data of a print job to be executed according to a print request;

(2) selection means (selection device such as keyboard, col. 8, lines 63-67) for causing a user to select a spool function of said image storage means or a spool function of the server apparatus (spool function of the printer server, col. 1, lines 18-30), which is adapted to store the print data of the print job to be executed according to the print data request to the server apparatus;

(3) control means (printer server, fig. 6) for, if it is determined from said selection means to use the spool function of the server apparatus, transmitting (transmits via network 4, fig. 6) the print data to the server apparatus (client transmits print data to printer server 8 via network 4, fig. 6), whereas if it is determined by from said selection means to use the spool function (col. 1, lines 10-30) of said image storage means, controlling said image storage means to store the print data;

(4) receiving means (receiving device, fig. 3) for receiving transmission permission information from the server apparatus indicating that the print data may be transmitted to the printer (the client requests print job information from the print server, in reply, the print server transmits the management information of the print job managed by the print server to the client, col. 2, lines 10-50 and col. 3, lines 1-15); and

(5) transmission means (print server generates a list of print management information indicating print job information that can be transmitted to a selected printer, col. 3, lines 5-15 and col. 5, lines 10-50) for transmitting the print data to the printer when said receiving means receives the transmission permission information from the server apparatus.

Regarding claim 9, Kurachi further discloses the information processing apparatus according to claim 8, further comprising notification means (notifying via network 4, fig. 6) for notifying the server apparatus of the selected spool function.

Regarding claim 10, Kurachi further discloses the information processing apparatus according to claim 8, wherein said selection means the user to make a selection by displaying (display monitor, fig. 5, col. 3, lines 24-38) a screen image of a use interface.

Regarding claims 11-13: Claims 11-13 are the method claims corresponding to the apparatus claims 8-10 (respectively). The methods are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 8-10 above.

Claim 14 corresponds to claim 8 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 2A) for storing computer programs, hence claim 14 would be rejected using the same rationale as in claim 8.

Regarding claim 15, Kurachi discloses an information processing apparatus as a client (client 1 and 2, fig. 6) that communicates with a server apparatus (printer server 8, fig. 6), which manages a print order, and a printer (printer 3, fig. 6) via a network, comprising:

(1) image storage means (RAM, fig. 2B, col. 11, lines 60-67 to col. 12, lines 1-15) for storing print data of a print job to be executed according to a print request;

(2) determination means (CPU of printer server, fig. 6) for determining to user one of spool function of said image storage means or a spool function of the server apparatus (spool function of printer server, col. 1, lines 18-30), which is adapted to store the print data of the print job to be executed according to the print data request to the server apparatus;

(3) control means (printer server, fig. 6) for, if it is determined from said selection means to use the spool function of the server apparatus, transmitting (client transmits print data to printer server 8 via network 4, fig. 6) the print data to the server apparatus, whereas if it is determined

by from said selection means to use the spool function (col. 1, lines 10-30) of said image storage means, controlling said image storage means to store the print data;

(4) receiving means (receiving device, fig. 3) for receiving transmission permission information (the client requests print job information from the print server, in reply, the print server transmits the management information of the print job managed by the print server to the client, col. 2, lines 10-50 and col. 3, lines 1-15) from the server apparatus indicating that the print data may be transmitted to the printer; and

(5) transmission means (print server generates a list of print management information indicating print job information that can be transmitted to a selected printer, col. 3, lines 5-15 and col. 5, lines 10-50) for transmitting the print data to the printer when said receiving means receives the transmission permission information from the server apparatus.

Regarding claim 16, Kurachi further discloses the information processing apparatus according to claim 15, further comprising notification means for notifying (notifying via network 4, fig. 6) the server apparatus of the determined spool function.

Regarding claim 17, Kurachi further discloses the information processing apparatus according to claim 15, wherein said determination means make a determination according to whether or not a remaining capacity of said image storage means is equal or less than a predetermined amount of capacity (a capacity of the rough image storing device is smaller than a capacity of the output image data storing device, col. 26, lines 46-50).

Regarding claims 18-20: Claims 18-20 are the method claims corresponding to the apparatus claims 15-17 (respectively). The methods are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 15-17 above.

Claim 21 corresponds to claim 15 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have

some type of computer readable memory medium (RAM, fig. 2A) for storing computer programs, hence claim 21 would be rejected using the same rationale as in claim 15.

Regarding claim 22, Kurachi discloses an information processing apparatus as a client (client, fig. 6) that communicates with a server apparatus (printer server, fig. 6), which manages a print order, and a printer (printer, fig. 6) via a network, comprising:

(1) image storage means (RAM, fig. 2B) for storing image data of a print job to be executed according to a print request;

(2) list acquisition means (printer server generates a list of print job, fig. 5) for acquiring a list of print jobs managed by the server apparatus;

(3) job designation means (displays preview of rough images represent print job information, fig. 5, col. 11, lines 5-13) for designating a print job to be previewed based on the list of print jobs acquired by said list acquisition means;

(4) determination means (print managing device, fig. 3) for determining whether image data of the print job designated by said job designation means is stored in said image storage means or in the server apparatus (print server generates a list of print management information indicating print job information that can be transmitted to a selected printer, col. 3, lines 5-15 and col. 5, lines 10-50);

(5) image acquisition means (the client requests print job information from the print server, in reply, the print server transmits the management information of the print job managed by the print server to the client, col. 2, lines 10-50 and col. 3, lines 1-15) for, if it is determined by said determination means that the image data of the print job designated by said job designation means is stored in said image storage means, reading the image data from said image storage means (displays print job management information, fig. 5), whereas if it is determined by said determination means that the image data is stored in the server apparatus, downloading the image from the server apparatus (print servers sends the list of rough images represent the print job to the client, fig. 5); and

(6) control means for displaying a preview image based on the image data acquired by said image acquisition means (In each of the client apparatuses, the list in which the management information of the plurality of print jobs and the plurality of the rough images corresponding to

the print job is displayed. When the user views the lists, the user can easily identify the print jobs by rough images, and select the print jobs easily and correctly, col. 3, lines 24-37 and fig. 5).

Regarding claim 23, Kurachi further discloses the information processing apparatus according to claim 22, wherein said job designation means causes a user to make a designation by displaying a screen image of a user interface (fig. 5).

Regarding claim 24, Kurachi further discloses the information processing apparatus according to claim 22, wherein the image data is an EMF file comprising intermediate data (converting device for converting the print data into picture data, such as bitmap data, col. 9, lines 38-46).

Regarding claim 25, Kurachi further discloses the information processing apparatus according to claim 24, wherein said control means displays the preview image (rough images preview, fig. 5) by controlling a displaying function of an Operating System (application program, col. 7, lines 58-63) to execute the acquired EMF file.

Regarding claims 26-29: Claims 26-29 are the method claims corresponding to the apparatus claims 22-25 (respectively). The methods are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 22-25 above.

Claim 30 corresponds to claim 22 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 2A) for storing computer programs, hence claim 30 would be rejected using the same rationale as in claim 22.

Response to Arguments

4.   Applicant's arguments, see page 17, lines 5-10, filed on 2/5/04, with respect to claim 30 have been fully considered and are persuasive. The objection of claim 30 has been withdrawn.

5.   Applicant's arguments, see page 17, lines 12-17, filed on 2/5/04, with respect to claims 25 and 29 have been fully considered and are persuasive. The 35 U.S.C 112th, second paragraph rejection of claims 25 and 29 has been withdrawn.

6.   Applicant's arguments filed 2/5/04 have been fully considered but they are not persuasive.

Regarding claims 1 & 8: applicant argued client (1,2) generates and sends the print data, but does not store the print data. In addition, applicant also argued Kurachi does not teach the user of transmission permission information for indicating that the print data may be transmitted by a client to a printer.

In Response: The examiner will note that Applicant is arguing subject matter not claimed in claims 1 & 8. Nowhere in previously cited claim 1 that applicant recites the nature of "each client including an image storage unit for storing print data of a print job and transmission permission information for indicating that the print data may be transmitted by a client to a printer". However, fig. 2A of Kurachi shows a layout structure of client apparatus comprising a storage means (RAM, fig. 2A).

In addition, Kurachi also teaches transmission permission information for indicating that the print data may be transmitted by a client to a printer (the client requests print job information from the print server, in reply, the print server transmits the management information of the print job managed by the print server to the client, col. 2, lines 10-50 and col. 3, lines 1-15 and print server generates a list of print management information indicating print job information that can be transmitted to a selected printer via a communication network 4 of fig. 6, col. 3, lines 5-15 and col. 5, lines 10-50). When the user views the lists, the user can easily identify the print jobs by rough images, and select the print jobs easily and correctly and then transmits the print jobs to the available printers via communication network, col. 3, lines 24-37 and fig. 5. Please refer to claims 1 & 8 as described above for more details regarding rejection of other cited limitations.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

(1) U.S. 6226097 to Kimura, discloses an example of transmission permission granted by the

printer server to a client, fig. 8, col. 6, lines 22-34.

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within TWO
MONTHS of the mailing date of this final action and the advisory action is not mailed until after
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
however, will the statutory period for reply expire later than SIX MONTHS from the mailing
date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The
examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the
organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham
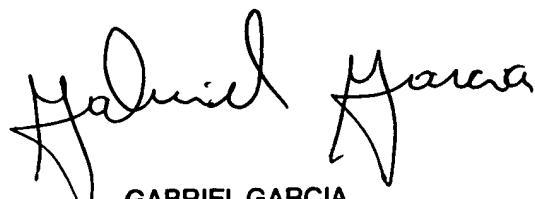
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